

wharf improvement erected in good faith by individuals prior to the passage of said act."

On motion of Mr. Bigelow, the Senate adjourned until to-morrow morning 10 o'clock.

FRIDAY, February 6, 1852.

The Senate was called to order by the President pursuant to adjournment—prayer by the Rev. Mr. Smith—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Taylor, chairman of the committee on Private Land Claims, reported back to the Senate a bill for the relief of the heirs at law of William Wilkinson, deceased, and recommended its passage.

ORDERS OF THE DAY.

On motion of Mr. Reaves, the resolution of the House relative to adjournment on the 16th instant, was taken up.

On motion of Mr. Kinney, a call of the Senate was made.

Mr. Gray made the following report

The committee on the Judiciary have considered the memorial of H. Castro, Esq., asking an extension of the time allowed to the colonists introduced by him, to prove up their claims. It appears that there are many of the colonists, particularly the heirs and widows of those deceased, who have not been able to avail themselves of the law of 1850, passed for their benefit.—Without determining on the policy of the extension prayed for, the committee report the enclosed bill for the consideration of the Senate, and ask to be discharged from the further consideration of the memorial.

A bill to extend the provisions of the act to perfect the land titles in Castro's colony, approved January 22, 1850; read first time.

On motion of Mr. Meusebach, the rule was suspended, bill read second time, and ordered to be engrossed.

On motion of Mr. Meusebach, the rule was suspended, bill read third time and passed.

Mr. Grimes, chairman of the committee on Finance, to which was referred joint resolution for the relief of Robert M. Elgin.

receiving clerk of the General Land Office, reported the same back to the Senate and recommended its passage.

A bill to encourage the opening of a channel through Red Fish Bar, and at the mouth of the Trinity river; read, and, on motion of Mr. Merriman, referred to the committee on the Judiciary.

On motion of Mr. Kinney, a bill to pay Frederick Dawson, James Schott and E. D. Whitney, a part of the amount of the bonds issued by the late Republic of Texas for the navy, was taken up.

The yeas and nays were then called on the adoption of the substitute offered by Mr. Taylor, and were as follows:

YEAS—Messrs. Burks, Dancy, Davis, Eddy, Gray, Hart, Reaves, Scott and Taylor—9.

NAYS—Messrs. Bigelow, Bogart, Ford, Grimes, Hill, Kinney, Merriman, Meusebach, Parker, Sterne, Truit, Williams and Wilson—13; rejected.

Mr. Hart offered the following amendment:

“Provided, that the payment contemplated by this act shall not be made until bond B, No. 2, for \$280,000 shall be presented to the Comptroller and Treasurer, and the amount when paid shall be by them endorsed on said bond as being so much on account thereof.”

Mr. Wilson offered the following amendment to the amendment:

“Provided, that the bonds B, No. 1, and B, No. 2, shall not be recognized as entitling the holders or owners thereof to claim at any time hereafter, a greater value than is affixed to said bond B, No. 1, by the Auditor and Comptroller;” adopted, and amendment as amended was adopted.

The bill was then ordered to be engrossed by the following vote:

YEAS—Messrs. Bigelow, Bogart, Doane, Duggan, Ford, Grimes, Hill, Kinney, Merriman, Meusebach, Parker, Sterne, Truit, Williams and Wilson—15.

NAYS—Messrs. Burks, Davis, Eddy, Gray, Hart, Reaves, Scott and Taylor—9.

A message was received from the House, informing the Senate that the House had passed a bill for the relief of the heirs of Felix A. Richardson, deceased; and

A bill for the relief of William Cummins, Robert T. Hughs and Reuben Crawford, which originated in the Senate.

Also, the following bills originating in the House, to wit:

A bill creating a board of Trustees for the county of Bastrop;

A bill to carry into effect the judgment of the district court in the suits instituted by Empresarios, and decided in their favor ;

A bill for the relief of George Eaton ;

A bill to incorporate the town of Henderson in Rusk county ;

And a bill for the relief of James Gross, Henderson Lofton, Landon Walker and Henderson Walker.

The resolution of the House to adjourn sine die on the 16th, was read, and adopted by the following vote :

YEAS—Messrs. Bogart, Burks, Davis, Duggan, Eddy, Ford, Gray, Grimes, Hart, Hill, Kinney, Merriman, Meusebach, Parker, Reaves, Scott, Taylor, Truit, Williams and Wilson—20.

NAYS—Messrs. Bigelow, Dancy, Doane and Sterne—4.

On motion, the Senate adjourned until 3 o'clock p. m.

3 O'CLOCK, P. M.

Senate met—roll called—quorum present.

Mr. Scott offered the following resolution :

Resolved, That in taking up business out of the regular order, it shall be in conformity to the following rule, to wit : the names of the Senators shall be called alphabetically, and as each name is called, the Senator may call up one bill, and then the next Senator on the list shall have the privilege of calling up one bill, and so on through the entire number."

On motion of Mr. Eddy, a bill to pay E. W. Moore certain second class claims therein named, was taken from the table and placed among the orders of the day.

A bill to amend an act to define the time of holding the district courts for the fifth judicial district, with amendments from the House was read, and amendments concurred in.

Mr. Meusebach introduced a bill supplementary to an act to incorporate the San Antonio Railroad company, approved Sept. 5, 1850 ; read first time.

On motion of Mr. Meusebach, the rule was suspended, and bill read second time.

On motion of Mr. Merriman, the bill was amended by adding two additional sections, to be sections 2 and 3.

The bill was then ordered to be engrossed.

On motion of Mr. Meusebach, the rule was suspended, bill read third time and passed.

Mr. Bigelow moved to reconsider the vote which rejected a joint resolution to pay George T. Wood twenty-one hundred dollars.

On motion of Mr. Wilson, the motion was laid on the table.

Mr. Wilson made the following report :

The Select committee raised for the purpose of making appro-

priate arrangements for the funeral obsequies of the late illustrious Edward Burleson, and whose duty it was made to select a suitable State burying ground, beg leave to lay before the Senate the report of the sub committee appointed to carry out the last named duty, which is marked A, and submitted as a part of this report.

And in order to carry out the intention of the Legislature in this respect, the committee report the accompanying bill, marked 1, and recommend its passage.

To JAMES C. WILSON,

Chairman of committee of Arrangements :

The sub-committee appointed to select a State burying ground have discharged that duty. The ground selected consists of twenty-one acres of land, which A. J. Hamilton has generously offered to donate to the State. The sub-committee, however, are unwilling to receive it as a donation, but recommend that the Legislature grant to Mr. Hamilton the right to select an equivalent in Austin city out lots, or pay him the value of the land selected. Gen. Burleson has been buried in the State burying ground, with the consent of his wife and relatives, with the understanding that space will be reserved for his wife and children.

The ground lies east of Dr. Robertson's residence.

JON W. DANCY.

A bill concerning a State burial ground ; read first time.

On motion of Mr. Hill, a bill to enable persons who have lost their evidence of claim against the late Republic or State of Texas to obtain duplicates, was taken up and ordered to be engrossed.

On motion of Mr. Gray, a bill for the relief of William H. Parker, was taken from the table, read third time and passed.

A message was received from the House, informing the Senate that the House had passed the following bills, to wit :

A bill to incorporate Red Mount Seminary, in the county of Sabine ;

A bill authorizing E. M. Gray to build a toll bridge across the west fork of Angelina river ;

A bill supplementary to an act to establish the University of Eastern Texas, approved March 8, 1848.

A bill to provide for the election of all officers created by the charters and boards of Aldermen of the cities of Galveston and Houston ; and

A joint resolution authorizing a settlement of the accounts of

George W. Smyth, on account of the building of a General Land Office, &c.

Mr. Grimes made the following report :

The committee of Conference of the two Houses, to whom was referred a bill making an appropriation to pay the several assessors and collectors of taxes for taking the census of their several counties for the year 1851, have had the same under consideration, and after a full and complete examination of all the facts and circumstances connected with the same, have agreed to report the bill back and recommend that the House recede from its amendment, and adopt the following to come in at the end of the proviso in Senate's bill : "except the assessors and collectors of the counties of DeWitt, Washington and Titus." This amendment the committee unanimously agree ought to be adopted, as the proof is ample that the assessors named in the amendment are in no way to blame for the default. All of which is respectfully submitted.

JESSE GRIMES,

Chairman on part of the Senate.

WM. H. JOHNSON, Chairman

On part of the House.

A message was received from the House, informing the Senate that the House had adopted the report of the committee of Conference on a bill making appropriations to pay the several assessors and collectors of taxes for taking the census of their respective counties for the year 1851.

A bill to create the counties of Cameron, Starr and Webb into separate land districts, with amendments from the House, was read.

On motion of Mr. Meusebach, the Senate refused to concur in all that portion of the amendments of the House relative to the district of Kinney, and concurred in the residue of said amendments.

Mr. Davis introduced joint resolution discharging George T. Wood from all further liability for the amount of fifteen hundred dollars advanced him by the State ; read first time.

On motion of Mr. Wilson, the rule was suspended, and bill read second time.

On motion of Mr. Williams, "joint resolution" was stricken out of the caption, and "an act" inserted.

On motion of Mr. Ford, the bill was amended by striking out "Militia," and inserting "volunteer."

Mr. Dancy offered the following amendment :

"Provided, he shall file releases of all claims against the State

of Texas for his services in obtaining the money for said volunteers."

On motion of Mr. Parker, the bill was laid on the table.

Mr. Bogart moved to reconsider the vote which engrossed a bill to pay Frederick Dawson, James Schott and E. D. Whitney a part of the bonds issued by the late Republic of Texas for the Navy; lost.

A bill for the relief of Gen. Memucan Hunt; read third time and passed.

A bill for the relief of Alexander Ewing; read third time and passed.

Joint resolution fixing the term of office of the Commissioner of the General Land Office; read third time and passed.

A bill for the relief of persons who have hypothecated their evidence of claim against the late Republic of Texas; read second time.

Mr. Dancy offered the following amendment:

Strike out the words "shall be allowed at par," and add, "provided, that no claim shall be allowed at any higher value than similar claims have been rated by the Auditor and Comptroller, where such claims have been presented previous to 1st September, 1851." Adopted, and bill ordered to be engrossed.

On motion of Mr. Eddy, a bill to pay E. W. Moore certain second class claims therein named, was taken from the table, and ordered to be engrossed.

A bill supplementary to an act granting certain powers to the corporation of Galveston city, approved December 5, 1851; read, and the substitute offered by Mr. Gray, for Mr. Merriman's amendment was adopted.

Mr. Merriman offered the following as a substitute for the bill.

A bill supplementary to an act granting certain powers to the corporation of Galveston city, approved December 5, 1851.

Mr. Duggan offered to amend the substitute by striking out the second section.

On motion, the Senate adjourned until 7 o'clock p. m.

7 O'CLOCK, P. M.

Senate met—roll called—quorum present.

The amendment offered by Mr. Duggan, to the substitute being under consideration when the Senate adjourned, was read and rejected.

Mr. Bigelow offered the following amendment:

Strike out of last section, the words "without first paying for the value of the same to the owner thereof;" rejected by the following vote:

YEAS—Messrs. Armstrong, Bigelow, Davis, Doane, Gray, Parker, Sterne and Williams—8.

NAYS—Messrs. Bogart, Dancy, Duggan, Grimes, Merriman, Reaves, Scott, Taylor, Truit and Wilson—10.

The substitute was rejected by the following vote :

YEAS—Messrs. Bogart, Dancy, Duggan, Merriman, Reaves, Scott, Taylor, Truit and Wilson—9.

NAYS—Messrs. Armstrong, Bigelow, Davis, Doane, Eddy, Gray, Grimes, Hart, Parker, Taylor and Williams—11.

Mr. Dancy offered the following amendment :

Add to the end of the bill, "without just compensation therefor ;" rejected by the following vote :

YEAS—Messrs. Bogart, Dancy, Duggan, Hill, Scott, Taylor, Truit and Wilson—8.

NAYS—Messrs. Armstrong, Bigelow, Davis, Doane, Eddy, Ford, Gray, Grimes, Hart, Hill, Parker and Williams—12.

The bill was then ordered to be engrossed by the following vote :

YEAS—Messrs. Armstrong, Bigelow, Davis, Doane, Eddy, Ford, Gray, Grimes, Hart, Kinney, Meusebach, Parker, Scott, Sterne and Williams—15.

NAYS—Messrs. Bogart, Dancy, Duggan, Merriman, Reaves, Taylor, Truit and Wilson—8.

Mr. Duggan made the following report :

The committee on Enrolled Bills have examined the following :

An act for the relief of James Frazer ;

An act to incorporate the Lake Creek Bridge and Turnpike company ;

An act for the relief of Samuel B. Brigham, administrator of Asa Brigham, deceased.

An act to amend the third section of an act providing for the transfer of the records of administrators to new counties ; approved 13th May, 1846 ;

An act to amend the charter of the town of Goliad ;

An act relating to lands in Peters' colony ;

An act to incorporate the Brazos Plank Road company ;

Joint resolution requesting the Governor to solicit the President of the United States to cause the limits of the 8th military department to be so extended as to embrace the entire State of Texas ;

All of which are correctly enrolled, and were on this day submitted to the Governor for his signature.

The Senate adopted the report of the committee of Confer-

ence on the bill making an appropriation to pay the several assessors and collectors of taxes for taking the census of their respective counties for the year 1851.

A bill to create the county of Delta; read, and on motion of Mr. Davis, postponed until Monday next.

A bill to provide for distributing public arms to the sixth Military Division of the State of Texas, organized at the present session of the Legislature; read and ordered to be engrossed.

A bill to provide for the payment of interest upon a portion of the debt of the late Republic of Texas; read, and, on motion of Mr. Bigelow, laid on the table.

A bill for the relief of the heirs of Stephen Prather; read and passed to third reading.

On motion of Mr. Eddy, the rule was suspended, bill read third time and passed.

A bill supplementary to an act to incorporate the city of Lavaca; read, and ordered to be engrossed.

On motion of Mr. Wilson, the rule was suspended, bill read third time and passed.

A bill to change and define the boundaries of the counties of Sabine and Jasper; read and ordered to be engrossed.

On motion of Mr. Eddy, the rule was suspended, bill read third time and passed.

A bill to remove certain papers from the county seat of Austin county, and place them in the General Land Office; read, and, on motion of Mr. Gray, laid on the table.

A bill to repeal joint resolution for the punishment of vagrants, approved January 10, 1839; read and ordered to be engrossed.

The report of the committee on the Judiciary, on bills relating to colonists in Peters' colony, asking to be discharged from their further consideration, was read and adopted.

A bill granting and securing 640 acres of land to the heirs of George W. Crowles, deceased, to which they are entitled by virtue of the services and death of said George W. Crowles in the army of the Republic of Texas; read, and passed to third reading.

On motion of Mr. Wilson, joint resolution for the benefit of Thomas William Ward was taken from the table, read third time, and passed by the following vote:

YEAS—Messrs. Bigelow, Bogart, Davis, Doane, Ford, Grimes, Hill, Merriman, Meusebach, Parker, Sterne, Truit, Williams and Wilson—14.

NAYS—Messrs. Dancy, Duggan, Scott and Taylor—4.

A bill for the relief of Charles A Warfield ; read second time, and, on motion of Mr. Taylor, laid on the table.

A bill for the relief of William Goynes ; read.

Mr. Dancy offered the following amendment :

After "Goynes," insert "and Philip Evans, on account of his being in the battle of San Jacinto, each ;" rejected by the following vote :

YEAS—Messrs. Dancy, Doane, Merriman and Scott—4.

NAYS—Messrs. Bigelow, Bogart, Duggan, Eddy, Ford, Gray, Grimes, Hart, Hill, Parker, Reaves, Sterne, Taylor, Truit, Williams and Wilson—16.

Mr. Scott offered the following amendment :

"Provided, that the land hereby granted shall not be alienated by the grantee ;" rejected.

The bill was then ordered to be engrossed by the following vote :

YEAS—Messrs. Bigelow, Bogart, Doane, Eddy, Ford, Grimes, Parker, Reaves, Sterne, Truit, Williams and Wilson—12.

NAYS—Messrs. Dancy, Duggan, Gray, Hart, Hill, Merriman, Scott and Taylor—8.

On motion of Mr. Bigelow, the Senate adjourned until ten o'clock to-morrow morning.

SATURDAY, February 7, 1852.

The Senate was called to order by the President pursuant to adjournment—prayer by the Rev. Mr. Smith—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Grimes, chairman of the committee on Finance, reported back to the Senate a bill for the relief Frederick Foy, and recommended its passage.

Mr. Reaves, chairman of the committee on Engrossed Bills, reported the following bills correctly engrossed :

A bill supplementary to an act to establish a State penitentiary ;

A bill to create the county and territory of Bell into a separate land district ;

A bill to pay Frederick Dawson, James Schott and E. D. Whitney a part of the amount of the bonds issued by the late Republic of Texas for the navy ;

A bill for the relief of William Goynes ;